IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO.25228 of 2004

Between:

J.Mogilaiah, s/o Mallaiah, 38 years, School Assistant,
Government Tribal Welfare Ashram High School, Chinnaboinapally, Warangal District.

...PETITIONER

AND

1. The Project Officer, Integrated Tribal Development Agency, Eturunagaram, Warangal District.
2. The District Tribal Welfare Officer/Assistant Project Officer, Eturunagaram, Warangal District.
3. The District Collector, Warangal, Warangal District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents in not considering the case of the petitioner for regularization of his services with effect from the date of his appointment as Daily Wage Worker on 26.02.1991 and not granting all the consequential benefits from that date is arbitrary, unreasonable and consequently direct the respondents to consider the case of the petitioner for regularization of his services with effect from the date of his entry into service as Daily Wage Worker with effect from 26.02.1991 and paying all the consequential benefits till 06.08.1997.

Counsel for the Petitioner: MR.M.KONDAL RAO

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following:

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.25228 OF 2004

ORDER:

For not considering the petitioner for regularization of his services with effect from initial appointment as Daily Wage Worker i.e. on 26.02.1991 and not granting all consequential benefits from that date, the present Writ Petition is filed.

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

Apparently, the first respondent has to take appropriate decision whether the petitioner is entitled for Daily Wages from the date of his initial appointment and also whether he is entitled for any consequential benefits from that date, i.e. on 26.02.1991. Further, the petitioner filed a representation dated 14.12.2004 and the same is under consideration.

The Writ Petition is disposed of with a direction to respondent Nos.1 and 2 to consider the representation dated 14.12.2004 of the petitioner in accordance with law and pass necessary orders, within a period of six weeks from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU, J)

31st December 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Project Officer, Integrated Tribal Development Agency, Eturunagaram, Warangal District.
2. The District Tribal Welfare Officer/Assistant Project Officer, Eturunagaram,

Warangal District.

3. The District Collector, Warangal, Warangal District.

4. Two CCs to G.P. for Social Welfare, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.